

2019 Regular Session

SENATE BILL NO. 80

BY SENATOR CARTER

TAX/AD VALOREM. Provides relative to the ad valorem tax exemption in Orleans Parish for affordable housing. (See Act)

1 AN ACT

2 To enact R.S. 47:1716, relative to ad valorem tax exemptions in Orleans Parish; to authorize
3 the city of New Orleans to grant ad valorem tax exemptions for affordable housing;
4 to provide for rulemaking; and to provide for related matters.

5 Notice of intention to introduce this Act has been published.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:1716 is hereby enacted to read as follows:

8 **§1716. Ad valorem tax exemptions for affordable housing in Orleans Parish**

9 **A. The city of New Orleans may grant any owner of immovable property**
10 **located within Orleans Parish an ad valorem tax exemption for the purpose of**
11 **affordable housing subject to the authority granted pursuant to Article VII,**
12 **Section 21(O) of the Louisiana Constitution and this Section.**

13 **B. The New Orleans Office of Community Development, or its designee,**
14 **shall promulgate rules and regulations for determining when and what kind of**
15 **ad valorem tax exemption is appropriate in different situations, including**
16 **programs to complement local inclusionary zoning policies. These programs**
17 **may assist with new construction or renovation of affordable units, expiring**

1 affordability of existing units, and programs to assist lower income
 2 homeowners, and may be approved by the City Council of the city of New
 3 Orleans.

4 C. Any property subject to an ad valorem tax exemption shall remain on
 5 the assessment rolls for Orleans Parish, provided, the ad valorem tax related to
 6 the subject property shall be reflected as the amount determined by the city of
 7 New Orleans.

8 D. Ad valorem tax exemptions determined by the city, or its designee,
 9 shall be transferable only if the rules and regulations promulgated by the Office
 10 of Community Development allow for transferability or if the new owner is
 11 similarly situated with regards to the rules and regulations.

12 Section 2. This Act shall take effect and become operative if and when the proposed
 13 amendment of Article VII, Section 21(O) of the Constitution of Louisiana contained in the
 14 Act which originated as Senate Bill No. 79 of this 2019 Regular Session of the Legislature
 15 is adopted at the statewide election to be held on October 12, 2019, and becomes effective.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Leonore Heavey.

DIGEST

SB 80 Engrossed

2019 Regular Session

Carter

Present law provides for limited exemptions from ad valorem tax.

Proposed law authorizes the city of New Orleans to grant any owner of immovable property located within Orleans Parish an ad valorem tax exemption for the purpose of affordable housing.

Proposed law authorizes the New Orleans Office of Community Development, or its designee, to promulgate rules for determining the nature and amount of the ad valorem tax exemption and provides that the rules may be approved by the council of the city of New Orleans.

Proposed law authorizes rules to include programs to complement local inclusionary zoning policies and programs that assist with new construction or renovation of affordable units, expiring affordability of existing units, and programs to assist lower income homeowners.

Proposed law provides that property subject to an ad valorem tax exemption for affordable housing remain on the assessment rolls with the tax amount as determined by the exemption.

Proposed law provides that ad valorem tax exemptions granted by the city of New Orleans are transferable only if a transfer is provided for in the rules adopted by the New Orleans Office of Community Development or if the new owner is similarly situated.

Effective if and when the proposed addition of Article VII, Section 21(O) of the Constitution of Louisiana contained in the Act which originated as SB 79 of the 2019 RS is adopted at the statewide election to be held on October 12, 2019, and becomes effective.

(Adds R.S. 47:1716)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Provide for the type of programs to be authorized by rule.
2. Add citation to proposed constitutional amendment.